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21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA

23 GYM-MARK, INC. and GYMBOREE, INC.,

Case No.: C 07-03523 (JW) (HRL)

24 v. Plaintiffs,

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

25 CHILDREN'S APPAREL NETWORK, LTD. and
26 MERVYN'S LLC,

27 Defendants.
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Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- Non-binding Arbitration (ADR L.R. 4)
- Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

Private Process:

– Private ADR (*please identify process and provider*) _____

The parties agree to hold the ADR session by:

X the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

_ other requested deadline _____

Dated: November 9, 2007

/s/ Annette L. Hurst
Attorney for Plaintiffs

Dated: November 9, 2007

/s/ Martha C. Luemers
Attorney for Defendants

1 [PROPOSED] ORDER

2 Pursuant to the Stipulation above, the captioned matter is hereby referred to:

3 – Non-binding Arbitration
4 – Early Neutral Evaluation (ENE)
5 X Mediation
6 – Private ADR

7 Deadline for ADR session:

8 X 90 days from the date of this order.
9 – other _____

10 IT IS SO ORDERED.

11 Dated: November 9, 2007

12 
13 UNITED STATES DISTRICT COURT JUDGE

1 ATTESTATION OF E-FILED SIGNATURE

2 I, Annette L. Hurst, attest that Martha C. Luemers has read and approved the Stipulation and
3 [Proposed] Order Selecting ADR Process. I will maintain records of Ms. Luemers' concurrence in
4 our files that can be made available for inspection upon request.

5 /s/Annette L. Hurst
6 Annette L. Hurst

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